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SENATE JOINT MEMORIAL 4
47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006
INTRODUCED BY
Cynthia Nava

A JOINT MEMORIAL
REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO
STUDY THE FUNDING OF CAPITAL IMPROVEMENTS FOR CHARTER SCHOOLS
AND OTHER PUBLIC SCHOOLS AND TO MAKE RECOMMENDATIONS ON
REFORMING THE PUBLIC SCHOOL CAPITAL OUTLAY PROCESS.

WHEREAS, the current system of public school capital
outlay funding does not provide adequate resources for capital
improvements for charter schools; and

WHEREAS, school districts and advocates of charter
schools have expressed to the legislature a willingness to
work together to seek new solutions to alleviate the lack of
adequate resources for public school capital outlay funding
for charter schools; and

WHEREAS, issues raised in connection with litigation
regarding the Zuni public school district require that any

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1 reform of public school capital outlay give due regard to
2 constitutional principles governing the fair and equitable
3 distribution of capital outlay funding to public schools,
4 including charter schools; and

5 WHEREAS, any plan for reform of public school capital
6 outlay funding must be fair and equitable to school districts
7 as a whole in addition to charter schools; and

8 WHEREAS, the public education department, the department
9 of finance and administration, the public school capital
10 outlay council and the legislature have an interest in
11 confirming that any plan for public school capital outlay
12 reform give due regard to overall funding requirements of the
13 state;

14 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
15 STATE OF NEW MEXICO that the department of finance and
16 administration, in consultation with the public education
17 department, be requested to study the problems of adequate
18 capital outlay funding for charter schools and make
19 recommendations on systemic reforms that will make the public
20 school capital outlay process fair and equitable for charter
21 schools and other public schools; and

22 BE IT FURTHER RESOLVED that the department report its
23 findings to the public school capital outlay council and the
24 legislative finance committee by September 1, 2006, including
25 recommendations that specifically address new and alternative

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1 sources of capital outlay funding for charter schools, with
2 due regard to the needs of school districts as a whole and
3 constitutional principles of fairness and equity; and

4 BE IT FURTHER RESOLVED that the department's
5 recommendations include proposed legislation if such is found
6 to be necessary; and

7 BE IT FURTHER RESOLVED that copies of this memorial be
8 transmitted to the secretary of finance and administration,
9 the secretary of public education, the director of the public
10 school capital outlay council and the director of the
11 legislative finance committee.